



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON, D C 20350-1000

28 MAR 2002

From: Secretary of the Navy
To: RADM David C. Nichols, Jr., USN

Subj: PRECEPT CONVENING FY-03 PROMOTION SELECTION BOARDS TO
CONSIDER OFFICERS IN THE LINE ON THE ACTIVE-DUTY LIST OF
THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF
LIEUTENANT COMMANDER AND FY-03 CONTINUATION SELECTION
BOARDS TO CONSIDER LIEUTENANT LINE OFFICERS FOR
CONTINUATION ON ACTIVE DUTY

Ref: (a) Title 10, U.S. Code

Encl: (1) Boards' Memberships
(2) FY-03 Active Duty Officer Promotion Selection Board
Guidance
(3) FY-03 Officer Continuation Selection Board Guidance

1. Membership, Date, Location, and Function

a. The promotion and continuation selection boards, consisting of you as president and the officers listed in enclosure (1), are ordered to convene at the Navy Personnel Command, Millington, TN, at 0800, 2 April 2002, or as soon as practicable thereafter.

b. The function of the promotion selection boards is to consider Active-Duty List officers in the line for promotion to the permanent grade of lieutenant commander. The records and names of all eligible officers, determined as of the date the boards convene, will be furnished to the boards. The names of those officers who are above, in, and below the promotion zone will be indicated, as appropriate.

c. The function of the continuation selection boards is to consider, and the boards shall normally recommend for continuation, Line lieutenants who are subject to discharge under section 632 of title 10, U.S. Code for twice failing of selection and are in the following designators: Aviation (131X/132X), Surface Warfare (111X), Submarine (112X), Special Operations (114X), Fleet Support (110X), Intelligence

Subj: PRECEPT CONVENING FY-03 PROMOTION SELECTION BOARDS TO CONSIDER OFFICERS IN THE LINE ON THE ACTIVE-DUTY LIST OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF LIEUTENANT COMMANDER AND FY-03 CONTINUATION SELECTION BOARDS TO CONSIDER LIEUTENANT LINE OFFICERS FOR CONTINUATION ON ACTIVE DUTY

(163X), and Oceanography (180X). The board shall also consider, and normally recommend for continuation, those permanent line Limited Duty Officer (LDO) lieutenants who are on an FY-03 selection list for lieutenant commander and are subject to involuntary retirement for years of service before they can accept their promotion appointment. The records and names of all eligible officers, determined as of the date the boards convene, will be furnished to the boards.

d. The boards shall proceed in accordance with the FY-03 Active Duty Officer Promotion Selection Board Guidance, enclosure (2), the FY-03 Officer Continuation Selection Board Guidance, enclosure (3), as appropriate, and any other guidance contained in this letter.

2. Promotion Boards Authorized Selections. The total number of officers who may be recommended in each competitive category shall be the number that most closely approximates the percentage set forth below of in-zone eligible officers determined as of the date the boards convene. The Chief of Naval Personnel shall determine the number of in-zone eligible officers on the convening date, calculate the number that may be recommended for promotion under the percentages set forth in the FY-03 Active Duty Officer Grade Promotion Plan, and furnish the number to the boards. The boards may recommend up to the number provided by the Chief of Naval Personnel.

COMPETITIVE
CATEGORY

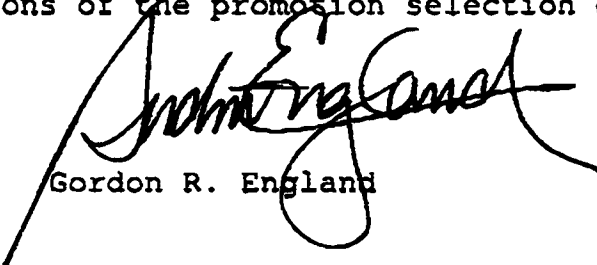
PERCENT
TO SELECT

Unrestricted Line Officer	90
Special Duty Officer (Human Resources)	80
Engineering Duty Officer	90
Aerospace Engineering Duty Officer (Maintenance)	90
Special Duty Officer (Information Professional)	90
Special Duty Officer (Cryptology)	85
Special Duty Officer (Intelligence)	90
Special Duty Officer (Public Affairs)	85
Special Duty Officer (Oceanography)	90
Limited Duty Officer (Line)	85

Subj: PRECEPT CONVENING FY-03 PROMOTION SELECTION BOARDS TO CONSIDER OFFICERS IN THE LINE ON THE ACTIVE-DUTY LIST OF THE NAVY FOR PROMOTION TO THE PERMANENT GRADE OF LIEUTENANT COMMANDER AND FY-03 CONTINUATION SELECTION BOARDS TO CONSIDER LIEUTENANT LINE OFFICERS FOR CONTINUATION ON ACTIVE DUTY

3. Continuation Boards Selection Standard. The boards shall consider carefully, without prejudice or partiality, the record of every eligible officer. The officers selected will be those whom a majority of the members of the boards consider fully qualified for continuation on active duty, giving due consideration to the needs of the Navy for officers with particular skills. Officers selected for continuation must be capable of performing the duties of their current grade and their continuation must be in the best interest of the Navy.

4. Except as authorized or required by the President, Secretary of Defense, or myself, no person shall disclose the proceedings, deliberations, or recommendations of the promotion selection or continuation selection boards.



Gordon R. England

**FY-03 ACTIVE DUTY OFFICER PROMOTION
SELECTION BOARD GUIDANCE**

Appendix

Subject

A General Procedural Guidance

- Duties of the Board President
- Department of Defense Policy on Board Proceedings
- Below Zone Consideration
- Marital Status
- Area Tours
- Adverse Information
- Show Cause Determination

B Selection Standard and Skills Guidance

- Selection Standard
- Application of the Best-Qualified Standard
- Aviation Low Accession Year Group
- Surface Warfare and Submarine Officer
- Graduate Education Consideration
- Innovation and Efficiency Guidance
- Acquisition Professional Guidance
- Joint Duty Consideration
- Foreign Area Officer Consideration
- Anti-Terrorism and Force Protection
- Retention Effectiveness

C Equal Opportunity Guidance

- Addresses Equitable Consideration for all Officers

D Board Reports

- Addresses Content and Routing of Selection Board Reports

E Oaths

- Provides Oaths for Board Members and Support Personnel

APPENDIX - A

GENERAL GUIDANCE

1. Duties of the Board President. The president of the board has been appointed by me and shall perform prescribed administrative duties. The board president has no authority to constrain the board from recommending for promotion those fully qualified officers that the majority finds best qualified to meet the needs of the Navy.
2. Board Proceedings. Per DoD Instruction 1320.14, the following directions apply to all board proceedings:
 - a. Each of you (president, members, recorders, and administrative support personnel) is responsible to maintain the integrity and independence of this selection board, and to foster careful consideration, without prejudice or partiality, of all eligible officers. DoD Instruction 1320.14 provides specific rules governing the conduct of officer selection boards and the actions of selection board personnel.
 - b. You must pay particularly close attention to the rules governing communications with and among other board members, the information authorized to be furnished to you, and the procedures you should follow if you believe that the integrity of this selection board has been improperly affected.
 - c. You may not receive, initiate, or participate in communications or discussions involving information that DoD Instruction 1320.14 precludes from consideration by a selection board. You are to base your recommendations on the material in each officer's military record, any information I have provided to the board in accordance with DoD Instruction 1320.14, and any information communicated to you by individual eligible officers under regulations I have issued. In your deliberations, you may discuss your own personal knowledge and evaluation of the professional qualifications of eligible officers to the extent that such matters are not precluded in law, DoD Instruction 1320.14, or Service regulations from consideration by a selection board or inclusion in an officer's military personnel record. You may not discuss or disclose the opinion of any person not a member of the board concerning an officer being considered unless that opinion is contained in material provided to the board under the provisions of DoD Instruction 1320.14.

d. When discussing your own personal knowledge concerning the professional qualifications of eligible officers, the board is reminded that if personal remarks, based on a member's personal knowledge, could be considered adverse, the member cannot discuss any personal knowledge or evaluation unless such matters are contained in the officer's official record or other material placed before the board in compliance with the law and Service regulation. In addition, should an officer's record reveal the removal of a fitness report, the member may not discuss any personal knowledge regarding the circumstance which resulted in the removal of the report.

e. I am the only person who may appear in person to address you on other than administrative matters. All communications with this board, other than those that are clearly administrative, must be in writing, given to each of you, and made part of the board's record. I have designated in writing those persons authorized to provide routine administrative information to you.

f. Before the report of the promotion selection board is signed, the recommendations may be disclosed only to members of the board, recorders, and those administrative support personnel I have designated in writing. I will release the names of the selectees to the public after the board's report is approved. Do not discuss recommended selectees until such time. Except as authorized by DoD Instruction 1320.14 and sections 616(e), 618(f), 14104, or 14108(d) of title 10, U.S. Code, the proceedings and deliberations of the board may not be disclosed to any person who is not a board member or board recorder.

g. If at any time you believe that you cannot in good conscience perform your duties as a member of the board without prejudice or partiality, you have a duty to request relief by me from this duty. I will honor any such request. If a member or recorder believes that the integrity of the board's proceedings has been affected by improper influence of military or civilian authority, misconduct by the board president or a member, or any other reason, or believes someone is exerting or attempting to exert inappropriate influence over the board or its proceedings, he or she has a duty to request from me or the Secretary of Defense relief from the obligation not to disclose board proceedings and, upon receiving it, to report the basis for this belief.

3. Consideration of Officers "Below The Zone". Identifying exceptional officers from below the zone and selecting them for promotion is authorized; however, no more than 10% percent of the total officers selected for promotion may be from below the promotion zone. The board is directed to ensure that below zone candidates are individually evaluated as a source of best and fully qualified officers.

4. Marital Status. Promotion boards are prohibited from considering the marital status of a member or the employment, education, or volunteer service of a spouse.

5. Area Tours. Repeated tours in a particular geographic location should not be considered negatively, provided the officer has progressed in billet complexity, professional development, and leadership responsibility.

6. Adverse Information

a. Just as you must consider positive performance, you must consider documented incidents of misconduct and substandard performance which are included in an officer's official service record in determining those officers who are best qualified for promotion. Members must give careful consideration to each such incident. For those eligible officers who are recommended for promotion and who have received disciplinary action, or whose privileged information record (Fiche Five/EMPRS Field Code 17) contains matters relating to conduct or performance of duty, every board member shall review the information contained therein personally prior to the final board decision.

b. Faced with many well-qualified officers, there may be a tendency to simplify your task by summarily putting aside the folders of officers whose past records are less than perfect; however, to do this is to fall short of your obligation. A judgment of the whole person and the whole record is required to determine whose future potential will serve Navy best. You may conclude that particular adverse information undermines an officer's ability to serve successfully in a position of increased authority and responsibility, despite an otherwise outstanding record. On the other hand, you may find that an officer's overall outstanding performance demonstrates such potential for future service that it outweighs any deficiency noted in the record. Some officers will have learned from their mistakes in ways that make them stronger; others will have strengths that outweigh relative weaknesses in their records.

c. Make the best, not simply the most obviously defensible, choices. By doing this you will not only fulfill your obligation, you will also better serve the Navy.

7. Show Cause Determination. In addition to determining which officers are best qualified for promotion, the board shall review each record carefully to determine whether the officer's performance is such that the individual is considered suitable for retention. The board shall notify the Secretary of the Navy of the name of each officer whose record, in the opinion of a majority of board members, indicates the officer should be required to show cause for retention due to:

- a. Substandard performance of duty;
- b. Moral or professional dereliction;
- c. Misconduct; or,
- d. Because the officer's retention is not clearly consistent with the interests of national security.

APPENDIX - B

SELECTION STANDARD AND SKILLS GUIDANCE

(Active Duty O4 Line)

1. Selection Standard. The board shall consider carefully, without prejudice or partiality, the record of every eligible officer. The officers selected will be those whom a majority of the members of the board consider best qualified for promotion giving due consideration to the needs of the Navy for officers with particular skills when I provide specific skill guidance to the board. In addition to the standard of best qualified, all officers recommended for promotion must be fully qualified; that is, each officer recommended must be capable of performing the duties of the next higher grade. The best and fully qualified standard shall be applied uniformly to all eligible officers whether below, in, or above the promotion zone.

2. "Best-Qualified" Standard. Naval policy regarding application of the statutory best-qualified standard is as follows:

a. The needs of the Navy dictate that our future leaders possess the qualities to excel in combat as commanders or in support of operational commanders or positions of leadership in direct support of fleet operations. Proven excellence in operational environments is an important measure of the qualities required. Performance while in command (for those who have been afforded the opportunity), as well as potential for command, is the ultimate test of fitness for promotion. Officers may have also demonstrated leadership, skill, integrity, and resourcefulness in other difficult and challenging joint and in-service assignments.

b. When considering officers in the Unrestricted Line, the best-qualified standard shall be applied without regard to designator. The promotion opportunity percentage for the Unrestricted Line is applicable to the Unrestricted Line competitive category as a whole; it has no specific applicability to individual communities, designators, or subspecialties within the Unrestricted Line. Promotion selection rates may vary among the Unrestricted Line designators.

3. **Aviation Low Accession Year Groups.** Aviators in year groups FY-91 through FY-95 were accessed below steady-state requirements. Many of these officers have been detailed exclusively to aviation specific assignments, and as a result, have had limited opportunity for career diversity. In view of these challenges each officer should be evaluated for selection based upon performance in the position held rather than for career path or limited diversity in duty assignments.

4. **Surface Warfare and Submarine Officer Inventory Shortfall.**

The Unrestricted Line community is experiencing officer inventory shortages within the Surface Warfare (111X) and Submarine (112X) designators at the lieutenant commander level. This has resulted in a shortfall of "in zone" eligible officers to the extent that these communities could not meet annual billet requirements even if selected for promotion at a rate of 100 percent. These shortfalls should be taken into consideration when selecting which officers are best and fully qualified to meet the needs of the Navy.

5. **Graduate Education.** Graduate education and specialty skills, represented by proven subspecialties, are important to our Navy and represent a key investment in our future. The Navy needs officers with formal technical and military education in a time of increasing technological sophistication. Advanced education achievement is a significant career milestone in the development of future Navy leadership. The utilization of advanced education in subspecialty tours is an equally significant career milestone. In determining an officer's fitness for selection, you shall favorably consider graduate degrees, military education, and experience in specialized areas.

6. **Innovation and Efficiency.** In your deliberations, give careful consideration to the fact that the needs of the Navy have changed over the years and will continue to change. Please be especially alert for officers who embrace innovation and efficiency to find new solutions to our most challenging problems. The Navy needs bold officers who are willing to think creatively, take well-calculated risks, develop new ideas, and maximize capabilities through sound management practices. Seek to promote officers who have shown initiative in finding and pursuing the most effective ways of accomplishing our mission. In your consideration, recognize that the continued preeminence of the Navy in the future is inextricably linked to its ability

to change and to manage for efficiency. I note also, in this regard, that officers with the greatest capacity for innovation and management efficiency may have had some billets different from the norm. In the context of a changing Navy, the best-qualified officers may reflect a variety of backgrounds and proven record of accomplishments.

7. **Acquisition Professionals.** Acquisition Professional (AP) community officers possess the requisite qualifications to manage the development, acquisition, and life cycle support of the Navy's current and future platforms and associated systems. Assignments given to these officers may have resulted in a career pattern different from officers who have served exclusively in their primary specialty. In making your determination of those officers who are best qualified for promotion, you must view the AP officer's acquisition assignments as having the same value as assignments within their primary specialty. Officers enter the AP community late in their careers. In the context of best and fully qualified, the needs of the Navy require that you select officers with proven capacity for leadership as demonstrated in AP or other leadership positions. In view of critical qualifications possessed by AP officers, and in accordance with Title 10, United States Code, section 1731, it is expected that these officers, as a group, will be promoted at a rate not less than the rate for all line officers in the same grade. In considering AP officers for selection, the best-qualified criteria is more important than balance among designators.

8. **Joint Duty Consideration**

a. Our ability to operate effectively with the other Services is vital to our warfighting capability. To foster this ability, a number of officers are assigned to joint military training and education and to duties with other Services and to joint staffs. Board members shall give appropriate consideration to the performance of officers who are serving or have served in such assignments.

b. To ensure our ability to conduct joint operations, the Navy is firmly committed to placing as many officers as possible in joint duty assignments. These assignments, critical for the future success of the Navy, may have resulted in a career pattern different from officers who have served exclusively in their primary or warfare specialty. In making your determination of those officers who are best and fully qualified for promotion, you must view joint duty assignments as having the same value as assignments within the primary or warfare specialty.

c. The Navy's ability to meet future joint operations requirements depends, in part, on senior officers who have served or are serving in joint duty assignments. Experience in a joint duty billet is a factor for you to consider in determining which officers are best qualified for promotion.

d. The charter of the board is to recommend for promotion those officers who are best and fully qualified for promotion. Within that charter, the board should strive to achieve:

(1) For officers who are serving or have served since 1 October 1986, on the Joint Staff, selection rates at least equal to selection rates for officers of the relevant competitive categories who are serving or have served at Navy Headquarters;

(2) For officers designated as Joint Specialty Officers, selection rates at least equal to selection rates for officers of the relevant competitive categories; and

(3) For officers who are serving or have served in joint duty assignments other than the Joint Staff, such as the Office of the Secretary of Defense, and excluding officers designated as Joint Specialty Officers, selection rates at least equal to the overall selection rates for officers in the relevant competitive categories.

e. Prior to adjournment, the board must review the extent to which equivalent selection rates have been met.

9. **Foreign Area Officer Consideration.** Foreign Area Officers (FAOs) are a select group of officers with the requisite qualifications to directly influence regional operational decisions, contribute to the formulation of U.S. foreign policy, and foster or enhance strong, positive relations with the nations and navies of the world. The quality of performance of these officers in international relations assignments, along with their specialized background and potential for assignment to critical USDAO and joint staff positions, should be given weight equal to that ordinarily given to other members of their warfare communities who have followed more traditional career patterns. In view of the qualifications of officers who have been selected for FAO, the board should give appropriate consideration to officers with these skills when selecting the best and fully qualified to meet the needs of the Navy.

10. **Anti-Terrorism and Force Protection.** The Navy's increasing focus on anti-terrorism and force protection (AT/FP) requires that the Navy retain officers who possess an understanding of these specialized skills. Be particularly attentive to the records of those officers who have demonstrated expertise in the areas of anti-terrorism and force protection. Experience may have been attained either afloat or while serving on major staffs or commands ashore. In view of the emerging importance of AT/FP requirements, the board should give appropriate consideration to officers with these skills when selecting the best and fully qualified to meet the needs of the Navy.

11. **Retention Effectiveness.** As the Navy transitions from a decade of downsizing to a steady-state force structure, we are faced with significant personnel retention challenges. At each echelon, the role of Navy leadership is a crucial factor in our ability to effectively retain both the quantity and quality of personnel necessary to sustain a full and vital force. In view of these challenges, be particularly attentive to the officers whose records have demonstrated attributes of superior leadership which, in turn, have fostered a command or workplace environment conducive to the improvement of personnel retention.

APPENDIX - C

EQUAL OPPORTUNITY GUIDANCE

1. The Department of the Navy is dedicated to equality of treatment and opportunity for all personnel without regard to race, creed, color, gender, or national origin. The Navy's goal is a professional working environment in which an individual's race, creed, color, gender, or national origin will not limit his or her professional opportunities. Accordingly, within this board's charter to determine those officers who are best and fully qualified, you must ensure that officers are not disadvantaged because of their race, creed, color, gender, or national origin.
2. Your evaluation of minority and women officers, as with all officers, must clearly afford them fair and equitable consideration. You should be particularly vigilant in your evaluation of these records to take care that no officer's promotion opportunity is disadvantaged by past attitudes or by service utilization policies or practices. You should evaluate each officer's potential to assume the responsibilities of the next higher grade, the overriding factor being performance of assigned duties.
3. The Navy has assigned some minority officers outside of traditional career development patterns, e.g., recruiting and equal opportunity billets, in order to effectively promote and administer equal opportunity policies. These assignments, though beneficial to the Navy, may have foreclosed to the officers so assigned opportunities available to other officers. Such assignment practices should not prejudice the selection of these officers for promotion. Accordingly, in determining the qualification for promotion of an officer who has been affected by these assignment practices, duty performed well in such assignments shall be given weight equal to duty performed well by a non-minority officer not so affected.
4. Due to historic statutory restrictions on the assignment of women in the Navy, the records of female officers before the board may show career patterns different from those of their male counterparts. Such restrictions on duty assignments, which foreclosed to women opportunities for operational and command assignments available to men, should not prejudice the selection of women for promotion. Accordingly, in determining an officer's qualification for promotion, duty performed well by a female officer whose assignability was constrained by law or policy shall be given weight equal to duty performed well by a male officer not so constrained.

5. This guidance should not be interpreted as requiring or permitting preferential treatment of any officer or group of officers on the grounds of race, creed, color, gender, or national origin.

APPENDIX - D

BOARD REPORTS

1. The record of the board's proceedings shall be compiled by the recorders and administrative support staff. The written report of the board shall be signed by the board president, the board members, and board recorders. It shall contain a list of the officers recommended for promotion with appropriate selection statistics as required by DoD Instruction 1320.14, as well as the following items:

a. Convening notice required by section 614 of title 10, U.S. Code.

b. All instructions, information, and guidance that were provided to the board, under section 615 of title 10, U.S. Code and DoD Instruction 1320.14, except information concerning particular officers, which must be retained and transferred to the Chief of Naval Personnel.

c. Certification that

(1) To the best of your knowledge, the board complied with DoD Instruction 1320.14, all instructions contained in the precept, and, as appropriate, other letters of guidance or instruction provided by me;

(2) You were not subject to or aware of any censure, reprimand, or admonishment about the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board;

(3) You were not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the board's recommendations;

(4) You were not party to or aware of any attempt at unauthorized communications;

(5) To the best of your knowledge, the board carefully considered the record of each officer whose name was furnished to the board; and

(6) The officers recommended for promotion are, in the opinion of the majority of the members of the board, fully qualified and best qualified for promotion to meet the needs of the Navy among those officers whose names were furnished to the board.

d. A list of all officers eligible for consideration.

e. A sampling of records prepared by the board president under procedures prescribed by the Chief of Naval Operations for use in convening special selection boards.

f. Precept.

g. If applicable, the show-cause list shall contain the names of those officers whose records, in the opinion of a majority of the members of the board, indicate the officer should be required to show cause for his or her retention on active duty. It shall also contain a brief explanation of the basis for the board's opinion. Negative reports shall state, "In the opinion of a majority of the members of the board there were no officers recommended to show cause for their retention on active duty."

h. A list of the names of all officers considered by the board who submitted letters for board consideration requesting that they not be selected for promotion or who have otherwise directly caused their non-selection through written communication to the board. Negative reports shall state, "No officers requested that they not be selected by the board or otherwise caused their non-selection through written communication to the board."

2. The report shall be forwarded for approval to the Assistant Secretary of Defense (Force Management Policy) via first, the Chief of Naval Personnel; second, the Chief of Naval Operations; third, the Judge Advocate General of the Navy for legal review; and fourth, me. In addition, the report of a selection board that considered officers with service in joint duty assignments will be forwarded to the Chairman, Joint Chiefs of Staff for review.

APPENDIX - E

OATHS

1. The president of the board(s) shall administer the following oath or affirmation to the recorder and assistant recorders:

"You, and each of you, do solemnly swear (or affirm) you will keep a true record of the proceedings of this board, and you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority. So help you God."

2. The recorder shall then administer the following oath or affirmation to the members of the board(s):

"You, and each of you, do solemnly swear (or affirm) you will perform your duties as a member of this board without prejudice or partiality, having in view both the special fitness of officers and the efficiency of the Naval Service, and you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority. So help you God."

3. The recorder shall then administer the following oath or affirmation to administrative support personnel:

"You, and each of you, do solemnly swear (or affirm) you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority. So help you God."

**FY-03 OFFICER CONTINUATION
SELECTION BOARD GUIDANCE**

Appendix

Subject

- | | |
|----------|---|
| A | General Procedural Guidance <ul style="list-style-type: none">- Duties of the Board President- Board proceedings- Adverse Information in the Official Record- Marital status- Area tours |
| B | Skills Guidance <ul style="list-style-type: none">- Navy policy guidance on application of the "fully qualified" standard for continuation- Graduate education- Innovation and Efficiency |
| C | Equal Opportunity Guidance <ul style="list-style-type: none">- Addresses equitable consideration for all officers |
| D | Board Reports <ul style="list-style-type: none">- Addresses content and routing of selection board reports |
| E | Oaths <ul style="list-style-type: none">- Provides oaths for board members and support personnel |

APPENDIX - A

GENERAL GUIDANCE

1. Duties of the Board President. The president of the board has been appointed by me and shall perform prescribed administrative duties. The board president has no authority to constrain the board from recommending for continuation those officers that the majority finds fully qualified to meet the needs of the Navy. The board president shall ensure that the board proceedings listed below are read to each board member, recorder, and administrative support person on the convening date of the board or on the date of assignment to the board, whichever is later.

2. Board Proceedings. The following directions concerning communications and information apply to all board proceedings:

a. Each of you (president, members, recorders, and administrative support personnel) is responsible to maintain the integrity and independence of this selection board, and to foster careful consideration, without prejudice or partiality, of all eligible officers.

b. You must pay particularly close attention to the rules governing communications with and among other board members, the information authorized to be furnished to you, and the procedures you should follow if you believe that the integrity of this selection board has been improperly affected.

c. You may not receive, initiate, or participate in communications or discussions involving information precluded from consideration by a selection board. You are to base your recommendations on the material in each officer's military record, any information I have provided to the board, and any information communicated to you by individual eligible officers under regulations I have issued. In your deliberations, you may discuss your own personal knowledge and evaluation of the professional qualifications of eligible officers to the extent that such matters are not precluded in law or Service regulation from consideration by a selection board or inclusion in an officer's military personnel record. You may not discuss or disclose the opinion of any person not a member of the board concerning an officer being considered unless that opinion is contained in material provided to the board.

d. When discussing your own personal knowledge concerning the professional qualifications of eligible officers, the board is reminded that if personal remarks, based on a member's personal knowledge, could be considered adverse, the member cannot discuss his or her personal knowledge or evaluation unless the matter is contained in the officer's official record or other material placed before the board in compliance with the law and Service regulations. In addition, you may not discuss any personal knowledge regarding the circumstances which resulted in the removal of the report from the officer's record.

e. I am the only person who may appear in person to address you on other than administrative matters. All communications with this board, other than those that are clearly administrative, must be in writing, given to each of you, and made part of the board's record. I have designated in writing those persons authorized to provide routine administrative information to you.

f. Before the report of the continuation selection board is signed, the recommendations may be disclosed only to members of the board, recorders, and those administrative support personnel I have designated in writing. After you sign the board report, only the recommendations of the board may be disclosed. Do not discuss recommended selectees until such time. Except as authorized by me, the proceedings/deliberations of the board may not be disclosed to any person not a board member, board recorder, or administrative support personnel.

g. If at any time you believe that you cannot in good conscience perform your duties as a member of the board without prejudice or partiality, you have a duty to request relief by me from this duty. I will honor any such request. If a member or recorder believes that the integrity of the board's proceedings has been affected by improper influence of military or civilian authority, misconduct by the board president or a member, or any other reason, or believes someone is exerting or attempting to exert inappropriate influence over the board or its proceedings, he or she has a duty to request from me or the Secretary of Defense relief from the obligation not to disclose board proceedings and, upon receiving it, to report the basis for this belief.

3. Adverse Information in the Official Record

a. Just as you must consider positive performance, you must consider documented incidents of misconduct and substandard performance which are included in an officer's official service record in determining those officers who are fully qualified for continuation. Members must give careful consideration to each such incident. For those eligible officers who are recommended for continuation and who have received disciplinary action, or whose privileged information record (Fiche Five) contains matters relating to conduct or performance of duty, every board member shall review the information contained therein personally prior to the final board decision.

b. Faced with many well-qualified officers, there may be a tendency to simplify your task by summarily putting aside the folders of officers whose past records are less than perfect; however, to do this is to fall short of your obligation. A judgment of the whole person and the whole record is required to determine whose future potential will serve the Navy best. You may conclude that particular adverse information undermines an officer's ability to serve successfully in a position of increased authority and responsibility, despite an otherwise outstanding record. On the other hand, you may find that an officer's overall outstanding performance demonstrates such potential for future service that it outweighs any deficiency noted in the record. Some officers will have learned from their mistakes in ways that make them stronger; others will have strengths that outweigh relative weaknesses in their records.

c. Make the best, not simply the most obviously defensible choices. By doing this you will not only fulfill your obligation, you will also better serve the Navy.

4. Marital Status. Continuation boards are prohibited from considering the marital status of a member or the employment, education, or volunteer service of a spouse.

5. Area Tours. Repeated tours in a particular geographic location should not be considered negatively, provided the officer has progressed in billet complexity, professional development, and leadership responsibility.

APPENDIX - B

SKILLS GUIDANCE

1. **"Fully Qualified" Standard.** Navy policy regarding application of the statutory "fully qualified" standard is as follows:

a. The needs of the Navy dictate that our future leaders possess the qualities to excel in combat as commanders or in support of operational commanders or positions of leadership in direct support of Fleet operations. Proven excellence in operational environments is an important measure of the qualities required. Performance while in command (for those who have been afforded the opportunity), as well as potential for command, is the ultimate test of fitness for continuation. Officers may have also demonstrated leadership, skill, integrity, and resourcefulness in other difficult and challenging joint, and in-service assignments.

b. When considering officers in the LDO community, the "fully qualified" standard shall be applied without regard to designator.

2. **Graduate Education.** Graduate education and specialty skills, represented by proven subspecialties, are important to our Navy and represent a key investment in our future. The Navy needs officers with formal technical and military education in a time of increasing technological sophistication. Advanced educational achievement is a significant career milestone in the development of future Navy leadership. The utilization of advanced education in subspecialty tours is an equally significant career milestone. In determining an officer's fitness for selection, you shall favorably consider graduate degrees, military education, and experience in specialized areas.

3. **Innovation and Efficiency.** In your deliberations, give careful consideration to the fact that the needs of the Navy have changed over the years and will continue to change. Please be especially alert for officers who embrace innovation and efficiency to find new solutions to our most challenging problems. The Navy needs bold officers who are willing to think creatively, take well-calculated risks, develop new ideas, and maximize capabilities through sound management practices. Seek to select officers who have shown initiative in finding and pursuing the most effective ways of accomplishing our mission.

In your consideration, recognize that the continued preeminence of the Navy in the future is inextricably linked to its ability to change and manage for efficiency. I note also, in this regard, that officers with the greatest capacity for innovation and management efficiency may have had some billets different from the norm. In the context of a changing Navy, fully qualified officers may reflect a variety of backgrounds and proven records of accomplishment.

APPENDIX - C

EQUAL OPPORTUNITY GUIDANCE

1. The Department of the Navy is dedicated to equality of treatment and opportunity for all personnel without regard to race, creed, color, gender, or national origin. The Navy's goal is a professional working environment in which an individual's race, creed, color, gender, or national origin will not limit his or her professional opportunities. Accordingly, within this board's charter to determine those officers who are fully qualified, you must ensure that officers are not disadvantaged because of their race, creed, color, gender, or national origin.

2. Your evaluation of minority and women officers, as with all officers, must clearly afford them fair and equitable consideration. You should be particularly vigilant in your evaluation of these records to take care that no officer's continuation opportunity is disadvantaged by past attitudes or by service utilization policies or practices. You should evaluate each officer's potential for continuation, the overriding factor being performance of assigned duties.

3. The Navy has assigned some minority officers outside of traditional career development patterns, e.g., recruiting and equal opportunity billets, in order to effectively promote and administer equal opportunity policies. These assignments, though beneficial to the Navy, may have foreclosed to the officers so assigned opportunities available to other officers. Such assignment practices should not prejudice the selection of these officers for continuation. Accordingly, in determining the qualification for continuation of an officer who has been affected by these assignment practices, duty performed well in such assignments shall be given weight equal to duty performed well by a non-minority officer not so affected.

4. Due to historic statutory restrictions on the assignment of women in the Navy, the records of female officers before the board may show career patterns different from those of their male counterparts. Such restrictions on duty assignments, which foreclosed to women opportunities for operational and command assignments available to men, should not prejudice the selection of women for continuation. Accordingly, in determining an officer's qualification for continuation, duty performed well by a female officer whose assignability was constrained by law or policy shall be given weight equal to duty performed well by a male officer not so constrained.

5. This guidance should not be interpreted as requiring or permitting preferential treatment of any officer or group of officers on the grounds of race, creed, color, gender, or national origin.

APPENDIX - D

BOARD REPORTS

1. The record of the board's proceedings shall be compiled by the recorders and administrative support staff. The written report of the board shall be signed by the board president, the board members, and board recorders. It shall contain a list of the officers recommended for continuation with appropriate selection statistics as required by DoD Instruction 1320.14, as well as the following items:

a. Convening notice required by section 614 of title 10, U.S. Code.

b. All instructions, information, and guidance that were provided to the board, under section 615 of title 10, U.S. Code, except information concerning particular officers, which must be retained and transferred to the Chief of Naval Personnel.

c. Certification that

(1) To the best of your knowledge, the board complied with DoD Instruction 1320.14, all instructions contained in the precept, and, as appropriate, other letters of guidance or instruction provided by me;

(2) You were not subject to or aware of any censure, reprimand, or admonishment about the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board;

(3) You were not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the board's recommendations;

(4) You were not party to or aware of any attempt at unauthorized communications;

(5) To the best of your knowledge, the board carefully considered the record of each officer whose name was furnished to the board; and

(6) The officers recommended for continuation are, in the opinion of the majority of the members of the board, fully qualified to meet the needs of the Navy among those officers whose names were furnished to the board.

d. A list of all officers eligible for consideration.

e. Precept.

2. The report shall be forwarded for approval to the Secretary of the Navy via first, the Chief of Naval Personnel; second, the Chief of Naval Operations; and third the Judge Advocate General of the Navy for legal review.

APPENDIX - E

OATHS

1. The president of the board(s) shall administer the following oath or affirmation to the recorder and assistant recorders:

"You, and each of you, do solemnly swear (or affirm) you will keep a true record of the proceedings of this board, and you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority. So help you God."

2. The recorder shall then administer the following oath or affirmation to the members of the board(s):

"You, and each of you, do solemnly swear (or affirm) you will perform your duties as a member of this board without prejudice or partiality, having in view both the special fitness of officers and the efficiency of the Naval Service, and you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority. So help you God."

3. The recorder shall then administer the following oath or affirmation to administrative support personnel:

"You, and each of you, do solemnly swear (or affirm) you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority. So help you God."